

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2446

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30 (legislative day, SEPTEMBER 27), 1993

Ordered to be printed with the amendments of the Senate numbered

---

## AN ACT

Making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 1994, for military con-  
6       struction functions administered by the Department of  
7       Defense, and for other purposes, namely:

8                       MILITARY CONSTRUCTION, ARMY

9       For acquisition, construction, installation, and equip-  
10      ment of temporary or permanent public works, military  
11      installations, facilities, and real property for the Army as  
12      currently authorized by law, including personnel in the

1 Army Corps of Engineers and other personal services nec-  
 2 essary for the purposes of this appropriation, and for con-  
 3 struction and operation of facilities in support of the func-  
 4 tions of the Commander in Chief, ~~(1)\$837,644,000~~  
 5 \$723,505,000, to remain available until September 30,  
 6 1998: *Provided*, That of this amount, not to exceed  
 7 ~~(2)\$109,441,000~~ \$88,000,000 shall be available for study,  
 8 planning, design, architect and engineer services, as au-  
 9 thorized by law, unless the Secretary of Defense deter-  
 10 mines that additional obligations are necessary for such  
 11 purposes and notifies the Committees on Appropriations  
 12 of both Houses of Congress of his determination and the  
 13 reasons therefor~~(3)~~: *Provided further*, That of the funds  
 14 appropriated for "Military Construction, Army" under  
 15 Public Law 102-136, \$4,700,000 is hereby rescinded: *Pro-*  
 16 *vided further*, That of the funds appropriated for "Military  
 17 Construction, Army" under Public Law 102-380,  
 18 \$9,200,000 is hereby rescinded.

19 MILITARY CONSTRUCTION, NAVY

20 For acquisition, construction, installation, and equip-  
 21 ment of temporary or permanent public works, naval in-  
 22 stallations, facilities, and real property for the Navy as  
 23 currently authorized by law, including personnel in the  
 24 Naval Facilities Engineering Command and other per-  
 25 sonal services necessary for the purposes of this appropria-

1 tion, ~~(4)\$575,971,000~~ \$580,033,000, to remain available  
 2 until September 30, 1998: *Provided*, That of this amount,  
 3 not to exceed ~~(5)\$64,373,000~~ \$59,373,000 shall be avail-  
 4 able for study, planning, design, architect and engineer  
 5 services, as authorized by law, unless the Secretary of De-  
 6 fense determines that additional obligations are necessary  
 7 for such purposes and notifies the Committees on Appro-  
 8 priations of both Houses of Congress of his determination  
 9 and the reasons therefor~~(6)~~: *Provided further*, That of the  
 10 funds appropriated for "Military Construction, Navy"  
 11 under Public Law 101-148, \$7,662,000 is hereby rescinded:  
 12 *Provided further*, That of the funds appropriated for "Mili-  
 13 tary Construction, Navy" under Public Law 102-136,  
 14 \$23,630,000 is hereby rescinded: *Provided further*, That of  
 15 the funds appropriated for "Military Construction, Navy"  
 16 under Public Law 102-380, \$37,660,000 is hereby re-  
 17 scinded.

18 MILITARY CONSTRUCTION, AIR FORCE

19 For acquisition, construction, installation, and equip-  
 20 ment of temporary or permanent public works, military  
 21 installations, facilities, and real property for the Air Force  
 22 as currently authorized by law, ~~(7)\$913,297,000~~  
 23 \$963,726,000, to remain available until September 30,  
 24 1998: *Provided*, That of this amount, not to exceed  
 25 ~~(8)\$63,882,000~~ \$58,180,000 shall be available for study,

1 planning, design, architect and engineer services, as au-  
 2 thorized by law, unless the Secretary of Defense deter-  
 3 mines that additional obligations are necessary for such  
 4 purposes and notifies the Committees on Appropriations  
 5 of both Houses of Congress of his determination and the  
 6 reasons therefor(9): *Provided further, That of the funds*  
 7 *appropriated for "Military Construction, Air Force" under*  
 8 *Public Law 102-136, \$14,480,000 is hereby rescinded: Pro-*  
 9 *vided further, That of the funds appropriated for "Military*  
 10 *Construction, Air Force" under Public Law 102-380,*  
 11 *\$2,230,000 is hereby rescinded.*

12           MILITARY CONSTRUCTION, DEFENSE-WIDE

13                   (INCLUDING TRANSFER OF FUNDS)

14           For acquisition, construction, installation, and equip-  
 15 ment of temporary or permanent public works, installa-  
 16 tions, facilities, and real property for activities and agen-  
 17 cies of the Department of Defense (other than the military  
 18 departments), as currently authorized by law,  
 19 (10)\$~~618,770,000~~ \$524,165,000, to remain available until  
 20 September 30, 1998: *Provided, That* such amounts of this  
 21 appropriation as may be determined by the Secretary of  
 22 Defense may be transferred to such appropriations of the  
 23 Department of Defense available for military construction  
 24 as he may designate, to be merged with and to be available  
 25 for the same purposes, and for the same time period, as

1 the appropriation or fund to which transferred: *Provided*  
 2 *further*, That of the amount appropriated, not to exceed  
 3 ~~(11)\$42,405,000~~ \$37,405,000 shall be available for study,  
 4 planning, design, architect and engineer services, as au-  
 5 thorized by law, unless the Secretary of Defense deter-  
 6 mines that additional obligations are necessary for such  
 7 purposes and notifies the Committees on Appropriations  
 8 of both Houses of Congress of his determination and the  
 9 reasons therefor~~(12)~~: *Provided further*, That of the funds  
 10 appropriated for “Military Construction, Defense Agencies”  
 11 under Public Law 102–136, \$15,500,000 is hereby re-  
 12 scinded.

13 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

14 For construction, acquisition, expansion, rehabilita-  
 15 tion, and conversion of facilities for the training and ad-  
 16 ministration of the Army National Guard, and contribu-  
 17 tions therefor, as authorized by chapter 133 of title 10,  
 18 United States Code, and military construction authoriza-  
 19 tion Acts, ~~(13)\$203,980,000~~ \$291,250,000, to remain  
 20 available until September 30, 1998.

21 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

22 For construction, acquisition, expansion, rehabilita-  
 23 tion, and conversion of facilities for the training and ad-  
 24 ministration of the Air National Guard, and contributions  
 25 therefor, as authorized by chapter 133 of title 10, United

1 States Code, and military construction authorization Acts,  
 2 ~~¶(14)~~~~\$161,761,000~~ *\$254,923,000*, to remain available until  
 3 September 30, 1998.

4 MILITARY CONSTRUCTION, ARMY RESERVE

5 For construction, acquisition, expansion, rehabilita-  
 6 tion, and conversion of facilities for the training and ad-  
 7 ministration of the Army Reserve as authorized by chapter  
 8 133 of title 10, United States Code, and military construc-  
 9 tion authorization Acts, ~~¶(15)~~~~\$87,825,000~~ *\$124,794,000*,  
 10 to remain available until September 30, 1998.

11 MILITARY CONSTRUCTION, NAVAL RESERVE

12 For construction, acquisition, expansion, rehabilita-  
 13 tion, and conversion of facilities for the training and ad-  
 14 ministration of the reserve components of the Navy and  
 15 Marine Corps as authorized by chapter 133 of title 10,  
 16 United States Code, and military construction authoriza-  
 17 tion Acts, ~~¶(16)~~~~\$28,647,000~~ *\$25,013,000*, to remain avail-  
 18 able until September 30, 1998.

19 MILITARY CONSTRUCTION, AIR FORCE RESERVE

20 For construction, acquisition, expansion, rehabilita-  
 21 tion, and conversion of facilities for the training and ad-  
 22 ministration of the Air Force Reserve as authorized by  
 23 chapter 133 of title 10, United States Code, and military  
 24 construction authorization Acts, ~~¶(17)~~~~\$66,136,000~~

(18) NORTH ATLANTIC TREATY ORGANIZATION  
INFRASTRUCTURE

5           For the United States share of the cost of North At-  
6 lantic Treaty Organization Infrastructure programs for  
7 the acquisition and construction of military facilities and  
8 installations (including international military head-  
9 quarters) and for related expenses for the collective de-  
10 fense of the North Atlantic Treaty Area as authorized in  
11 military construction Acts and section 2806 of title 10,  
12 United States Code, \$140,000,000, to remain available  
13 until expended.

**(19)** *OUTSIDE THE UNITED STATES*

15        *Notwithstanding any other provision of law, for mili-*  
16 *tary construction and family housing construction outside*  
17 *the United States for the Army, Navy, Air Force, and De-*  
18 *fense Agencies and for the North Atlantic Treaty Organiza-*  
19 *tion Infrastructure Programs, as currently authorized by*  
20 *law, \$300,000,000, to remain available until expended: Pro-*  
21 *vided, That \$120,000,000 of such amount shall not be avail-*  
22 *able unless the Secretary of Defense certifies to Congress*  
23 *that (1) the amount requested by the Department of Defense*  
24 *for overseas basing activities (as that term is defined in*  
25 *section 1301(b) of Public Law 102-484 (106 Stat. 2544))*

1 *for each fiscal year after fiscal year 1994 is expected to be*  
2 *significantly less than the amount requested for such activi-*  
3 *ties for the previous fiscal year; (2) negotiations for revised*  
4 *host-nation agreements as required under section 1301(e)*  
5 *of Public Law 102-484 (106 Stat. 2545) have commenced;*  
6 *(3) such negotiations will result in agreements that provide*  
7 *in fiscal years after fiscal year 1993 for an assumption by*  
8 *host-nations of greater costs of the United States military*  
9 *installations covered by the agreements; and (4) progress*  
10 *is being made in such negotiations to reduce the United*  
11 *States share of the costs of all overseas basing activities:*  
12 *Provided further, That such amounts of this appropriation*  
13 *as are available and as may be determined by the Secretary*  
14 *of Defense may be transferred to such appropriations of the*  
15 *Department of Defense available for military construction*  
16 *and family housing and the North Atlantic Treaty Organi-*  
17 *zation Infrastructure account as he may designate, to be*  
18 *merged with and to be available for the same purposes, and*  
19 *for the same period, as the appropriation or fund to which*  
20 *transferred.*

21 **FAMILY HOUSING, ARMY**

22 **For expenses of family housing for the Army for con-**  
23 **struction, including acquisition, replacement, addition, ex-**  
24 **pansion, extension and alteration and for operation and**  
25 **maintenance, including debt payment, leasing, minor con-**



struction, principal and interest charges, and insurance  
 premiums, as authorized by law, as follows: for Construc-  
 tion, ~~(20)\$218,785,000~~ \$228,385,000, to remain available  
 until September 30, 1998; for Operation and maintenance,  
 and for debt payment, ~~(21)\$1,067,922,000~~  
~~\$1,125,601,000~~; in all ~~(22)\$1,286,707,000~~  
~~\$1,353,986,000~~.

#### FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Ma-  
 rine Corps for construction, including acquisition, replace-  
 ment, addition, expansion, extension and alteration and  
 for operation and maintenance, including debt payment,  
 leasing, minor construction, principal and interest  
 charges, and insurance premiums, as authorized by law,  
 as follows: for Construction, ~~(23)\$367,769,000~~  
~~\$354,738,000~~, to remain available until September 30,  
 1998; for Operation and maintenance, and for debt pay-  
 ment, ~~(24)\$781,952,000~~ \$835,055,000; in all  
~~(25)\$1,149,721,000~~ \$1,189,793,000~~(26)~~: *Provided, That*  
*of the funds appropriated for "Family Housing, Navy and*  
*Marine Corps" under Public Law 101-148, \$25,018,000 is*  
*hereby rescinded.*

#### FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for  
 construction, including acquisition, replacement, addition,

1 expansion, extension and alteration and for operation and  
 2 maintenance, including debt payment, leasing, minor con-  
 3 struction, principal and interest charges, and insurance  
 4 premiums, as authorized by law, as follows: for Construc-  
 5 tion, ~~(27)\$192,197,000~~ \$195,035,000, to remain available  
 6 until September 30, 1998; for Operation and maintenance,  
 7 and for debt payment, ~~(28)\$805,847,000~~ \$853,912,000;  
 8 in all ~~(29)\$998,044,000~~ \$1,048,947,000~~(30)~~: *Provided,*  
 9 *That of the funds appropriated for "Family Housing, Air*  
 10 *Force" under Public Law 102-136, \$6,400,000 is hereby re-*  
 11 *scinded: Provided further, That of the funds appropriated*  
 12 *for "Family Housing, Air Force" under Public Law 102-*  
 13 *380, \$48,702,000 is hereby rescinded.*

14 FAMILY HOUSING, DEFENSE-WIDE

15 For expenses of family housing for the activities and  
 16 agencies of the Department of Defense (other than the  
 17 military departments) for construction, including acquisi-  
 18 tion, replacement, addition, expansion, extension and al-  
 19 teration, and for operation and maintenance, leasing, and  
 20 minor construction, as authorized by law, as follows: for  
 21 Construction, \$159,000, to remain available for obligation  
 22 until September 30, 1998; for Operation and maintenance,  
 23 ~~(31)\$25,711,000~~ \$27,337,000; in all ~~(32)\$25,870,000~~  
 24 \$27,496,000.

1 HOMEOWNERS ASSISTANCE FUND, DEFENSE

2 For use in the Homeowners Assistance Fund estab-  
3 lished pursuant to section 1013(d) of the Demonstration  
4 Cities and Metropolitan Development Act of 1966, as  
5 amended (42 U.S.C. 3374), \$151,400,000~~(33)~~, *to remain*  
6 *available until expended.*

7 BASE REALIGNMENT AND CLOSURE ACCOUNT, PART I

8 For deposit into the Department of Defense Base  
9 Closure Account established by section 207(a)(1) of the  
10 Defense Authorization Amendments and Base Closure and  
11 Realignment Act (Public Law 100-526),  
12 ~~(34)\$27,870,000~~ \$12,830,000, to remain available for ob-  
13 ligation until September 30, 1995: *Provided*, That none  
14 of these funds may be obligated for base realignment and  
15 closure activities under Public Law 100-526 which would  
16 cause the Department's \$1,800,000,000 cost estimate for  
17 military construction and family housing related to the  
18 Base Realignment and Closure Program to be  
19 exceeded~~(35):—Provided further, That not less than~~  
20 \$19,800,000 of the funds appropriated herein shall be  
21 ~~available solely for environmental restoration.~~

22 BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II

23 For deposit into the Department of Defense Base  
24 Closure Account 1990 established by section 2906(a)(1)  
25 of the Department of Defense Authorization Act, 1991

1 (Public Law 101-510), ~~(36)~~\$1,800,500,000  
 2 \$1,526,310,000, to remain available until expended: *Pro-*  
 3 *vided*, That ~~(37)~~such funds are available solely for the  
 4 approved 1991 base realignments and closures: *Provided*  
 5 *further*, That not less than \$262,300,000 of the funds ap-  
 6 propriated herein shall be available solely for environ-  
 7 mental restoration.

#### 8 BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III

9 For deposit into the Department of Defense Base  
 10 Closure Account 1990 established by section 2906(a)(1)  
 11 of the Department of Defense Authorization Act, 1991  
 12 (Public Law 101-510), ~~(38)~~\$1,200,000,000  
 13 \$1,197,000,000, to remain available until expended: *Pro-*  
 14 *vided*, That such funds will be available only to the extent  
 15 an official budget request is transmitted to the  
 16 Congress~~(39)~~:*Provided further*, That such funds are  
 17 available solely for the approved 1993 base realignments  
 18 and closures: *Provided further*, That not less than  
 19 \$300,000,000 of the funds appropriated herein shall be  
 20 available solely for environmental restoration.

#### 21 GENERAL PROVISIONS

22 SEC. 101. None of the funds appropriated in Military  
 23 Construction Appropriations Acts shall be expended for  
 24 payments under a cost-plus-a-fixed-fee contract for work,  
 25 where cost estimates exceed \$25,000, to be performed

1 within the United States, except Alaska, without the spe-  
2 cific approval in writing of the Secretary of Defense set-  
3 ting forth the reasons therefor.

4 SEC. 102. Funds appropriated to the Department of  
5 Defense for construction shall be available for hire of pas-  
6 senger motor vehicles.

7 SEC. 103. Funds appropriated to the Department of  
8 Defense for construction may be used for advances to the  
9 Federal Highway Administration, Department of Trans-  
10 portation, for the construction of access roads as author-  
11 ized by section 210 of title 23, United States Code, when  
12 projects authorized therein are certified as important to  
13 the national defense by the Secretary of Defense.

14 SEC. 104. None of the funds appropriated in this Act  
15 may be used to begin construction of new bases inside the  
16 continental United States for which specific appropria-  
17 tions have not been made.

18 SEC. 105. No part of the funds provided in Military  
19 Construction Appropriations Acts shall be used for pur-  
20 chase of land or land easements in excess of 100 per cen-  
21 tum of the value as determined by the Army Corps of En-  
22 gineers or the Naval Facilities Engineering Command, ex-  
23 cept (a) where there is a determination of value by a Fed-  
24 eral court, or (b) purchases negotiated by the Attorney  
25 General or his designee, or (c) where the estimated value

1 is less than \$25,000, or (d) as otherwise determined by  
2 the Secretary of Defense to be in the public interest.

3 SEC. 106. None of the funds appropriated in Military  
4 Construction Appropriations Acts shall be used to (1) ac-  
5 quire land, (2) provide for site preparation, or (3) install  
6 utilities for any family housing, except housing for which  
7 funds have been made available in annual Military Con-  
8 struction Appropriations Acts.

9 SEC. 107. None of the funds appropriated in Military  
10 Construction Appropriations Acts for minor construction  
11 may be used to transfer or relocate any activity from one  
12 base or installation to another, without prior notification  
13 to the Committees on Appropriations.

14 SEC. 108. No part of the funds appropriated in Mili-  
15 tary Construction Appropriations Acts may be used for  
16 the procurement of steel for any construction project or  
17 activity for which American steel producers, fabricators,  
18 and manufacturers have been denied the opportunity to  
19 compete for such steel procurement.

20 SEC. 109. None of the funds available to the Depart-  
21 ment of Defense for military construction or family hous-  
22 ing during the current fiscal year may be used to pay real  
23 property taxes in any foreign nation.

24 SEC. 110. None of the funds appropriated in Military  
25 Construction Appropriations Acts may be used to initiate

1 a new installation overseas without prior notification to  
2 the Committees on Appropriations.

3 SEC. 111. None of the funds appropriated in Military  
4 Construction Appropriations Acts may be obligated for ar-  
5 chitect and engineer contracts estimated by the Govern-  
6 ment to exceed \$500,000 for projects to be accomplished  
7 in Japan or in any NATO member country, unless such  
8 contracts are awarded to United States firms or United  
9 States firms in joint venture with host nation firms.

10 SEC. 112. None of the funds appropriated in Military  
11 Construction Appropriations Acts for military construc-  
12 tion in the United States territories and possessions in the  
13 Pacific and on Kwajalein Atoll may be used to award any  
14 contract estimated by the Government to exceed  
15 \$1,000,000 to a foreign contractor: *Provided*, That this  
16 section shall not be applicable to contract awards for  
17 which the lowest responsive and responsible bid of a  
18 United States contractor exceeds the lowest responsive  
19 and responsible bid of a foreign contractor by greater than  
20 20 per centum.

21 SEC. 113. The Secretary of Defense is to inform the  
22 Committees on Appropriations and the Committees on  
23 Armed Services of the plans and scope of any proposed  
24 military exercise involving United States personnel thirty  
25 days prior to its occurring, if amounts expended for con-

1 struction, either temporary or permanent, are anticipated  
2 to exceed \$100,000.

3 (TRANSFER OF FUNDS)

4 SEC. 114. Unexpended balances in the Military Fam-  
5 ily Housing Management Account established pursuant to  
6 section 2831 of title 10, United States Code, as well as  
7 any additional amounts which would otherwise be trans-  
8 ferred to the Military Family Housing Management Ac-  
9 count, shall be transferred to the appropriations for Fam-  
10 ily Housing, as determined by the Secretary of Defense,  
11 based on the sources from which the funds were derived,  
12 and shall be available for the same purposes, and for the  
13 same time period, as the appropriation to which they have  
14 been transferred.

15 SEC. 115. Not more than 20 per centum of the appro-  
16 priations in Military Construction Appropriations Acts  
17 which are limited for obligation during the current fiscal  
18 year shall be obligated during the last two months of the  
19 fiscal year.

20 (TRANSFER OF FUNDS)

21 SEC. 116. Funds appropriated to the Department of  
22 Defense for construction in prior years shall be available  
23 for construction authorized for each such military depart-  
24 ment by the authorizations enacted into law during the  
25 current session of Congress.



1        SEC. 117. For military construction or family housing  
2 projects that are being completed with funds otherwise ex-  
3 pired or lapsed for obligation, expired or lapsed funds may  
4 be used to pay the cost of associated supervision, inspec-  
5 tion, overhead, engineering and design on those projects  
6 and on subsequent claims, if any.

SEC. 118. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project (1) are obligated from funds available for military construction projects, and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 119. Of the funds appropriated in this Act for  
Operation and maintenance of Family Housing, no more  
than \$13,000,000 may be obligated for contract cleaning  
of family housing units.

23 (TRANSFER OF FUNDS)

SEC. 120. During the five-year period after appro-  
priations available to the Department of Defense for mili-

1 tary construction and family housing operation and main-  
2 tenance and construction have expired for obligation, upon  
3 a determination that such appropriations will not be nec-  
4 essary for the liquidation of obligations or for making au-  
5 thorized adjustments to such appropriations for obliga-  
6 tions incurred during the period of availability of such ap-  
7 propriations, unobligated balances of such appropriations  
8 may be transferred into the appropriation "Foreign Cur-  
9 rency Fluctuations, Construction, Defense" to be merged  
10 with and to be available for the same time period and for  
11 the same purposes as the appropriation to which trans-  
12 ferred.

13 SEC. 121. The Secretary of Defense is to provide the  
14 Committees on Appropriations of the Senate and the  
15 House of Representatives with an annual report by Feb-  
16 ruary 15, containing details of the specific actions pro-  
17 posed to be taken by the Department of Defense during  
18 the current fiscal year to encourage other member nations  
19 of the North Atlantic Treaty Organization and Japan and  
20 Korea to assume a greater share of the common defense  
21 burden of such nations and the United States.

22 ~~(40)SEC. 122. (a) Notwithstanding any other provi-~~  
23 ~~sion of law, the Secretary of the Army shall transfer, no~~  
24 ~~later than September 30, 1994, without reimbursement or~~  
25 ~~transfer of funds, to the Architect of the Capitol, a portion~~

1 of the real property, including improvements thereon,  
2 known as the Army Research Laboratory, Woodbridge Re-  
3 search Facility, located in Prince William County, Vir-  
4 ginia, consisting of approximately 100 acres, more or less,  
5 as determined under subsection (c).

6       ~~(b)~~ The Architect of the Capitol shall, upon comple-  
7 tion of the survey performed pursuant to subsection (c)  
8 and the transfer effected pursuant to subsection (a), uti-  
9 lize the property to be transferred to provide facilities to  
10 accommodate the varied long term storage and service  
11 needs of the Library of Congress and Legislative Branch.

12       ~~(c)~~ The exact acreage, legal description and appor-  
13 tionment as to the portions of the property to be trans-  
14 ferred under this section shall be determined by a survey  
15 satisfactory to the Architect of the Capitol and the Sec-  
16 retary of the Army.

17       **(41)** *SEC. 122. Notwithstanding any other provision*  
18 *of this Act, each amount appropriated by this Act is hereby*  
19 *reduced by four percent.*

20       SEC. 123. Proceeds received by the Secretary of the  
21 Navy pursuant to section 2840 of the National Defense  
22 Authorization Act for Fiscal Years 1992 and 1993 (Public  
23 Law 102-190) are appropriated and shall be available for  
24 the purposes authorized in that section.

1       **(42)SEC. 124.** Defense access roads for Camp  
2 Dodge, Iowa, (86th Street improvements) shall be consid-  
3 ered as fully meeting the certification requirements speci-  
4 fied in section 210 of title 23 of the United States Code.

5 **(43)SEC. 125. COMPLIANCE WITH BUY AMERICAN**  
6 **ACT.**

7 No funds appropriated pursuant to this Act may be  
8 expended by an entity unless the entity agrees that in ex-  
9 pending the assistance the entity will comply with sections  
10 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-  
11 10c, popularly known as the “Buy American Act”).

12 **(44)SEC. 126. SENSE OF CONGRESS; REQUIREMENT**  
13 **REGARDING NOTICE.**

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

1 **(45)SEC. 127. PROHIBITION OF CONTRACTS.**

2       If it has been finally determined by a court or Federal  
3 agency that any person intentionally affixed a fraudulent  
4 label bearing a “Made in America” inscription, or any in-  
5 scription with the same meaning, to any product sold in  
6 or shipped to the United States that was not made in the  
7 United States, such person shall be ineligible to receive  
8 any contract or subcontract made with funds provided  
9 pursuant to this Act, pursuant to the debarment, suspen-  
10 sion, and ineligibility procedures described in section 9.400  
11 through 9.409 of title 48, Code of Federal Regulations.

12       **(46)***SEC. 128. Of the funds appropriated in this Act*  
13 *for “Military Construction, Army,” \$4,400,000 shall be ob-*  
14 *ligated for a DIAL Central Office Facility at Fitzsimmons*  
15 *Medical Center, Colorado.*

16       **(47)***SEC. 129. Of the funds appropriated in this Act*  
17 *for “Military Construction, Air National Guard,”*  
18 *\$2,800,000 shall be obligated for an ACMI support facility*  
19 *at the Gulfport-Biloxi Regional Airport, Mississippi.*

20       **(48)***SEC. 130. The Secretary of the Navy may grant*  
21 *a perpetual easement for drainage and other public pur-*  
22 *poses to the City and County of Honolulu over approxi-*  
23 *mately fifty to seventy acres of land at West Loch Branch,*  
24 *Naval Magazine Lualualei, on condition that the consider-*  
25 *ation received shall be no less than fair market value as*

HR 2446 PP—6